

Sponsors: Mayor Ronnie Clark
Commissioner Larry Dixon
First Reading: September 26, 2016
Second Reading: October 10, 2016

ORDINANCE NO. 2016 - 013

**ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY
APPROXIMATELY 67.85 ACRES LOCATED ON U.S. HIGHWAY 31-W
AND KENTUCKY STATE HIGHWAY 1008
OWNED BY WILLARD KEPLEY AND WIFE, SADIE KEPLEY;
ARC PROPERTIES, LLC, A TEXAS LIMITED LIABILITY COMPANY;
VICTOR L. HUNTSMAN; DANE HEINZE AND WIFE, TARA HEINZE; AND
HEINZE FAMILY CHIROPRACTIC, LLC, A KENTUCKY LIMITED LIABILITY COMPANY**

WHEREAS, heretofore, the City of Franklin, Kentucky, adopted a Comprehensive Plan of Annexation; and

WHEREAS, the Board of Commissioners of the City of Franklin has determined that the hereinafter described territory is urban in character, and/or suitable for development for urban purposes, by reason of population density, commercial, industrial, and/or subdivision of land; and

WHEREAS, the Board of Commissioners has determined that no part of the area to be annexed shall be included in the boundary of another city; and

WHEREAS, the owners of record of the land to be annexed have given prior written consent to the annexation; and

WHEREAS, pursuant to KRS 81A.412, the City may enact a single ordinance finally annexing the land described in the ordinance and all waiting periods and notice requirements shall not be required;

NOW, THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, acting by and through its Board of Commissioners, that pursuant to the provisions of KRS 81A.412 and/or KRS 81A.420, the City of Franklin hereby annexes the following described unincorporated area and makes it a part of the City of Franklin, Kentucky:

**PROPERTY DESCRIPTION AND MAP REFERENCED AS EXHIBIT 1
IS INCORPORATED HEREIN BY REFERENCE**

This ordinance shall take effect upon its passage, approval, and publication. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

September 26, 2016 FIRST READING October 10, 2016 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on October 10, 2016, on motion made by Commissioner Stewart and seconded by Commissioner Powell the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>AYE</u>	JAMIE POWELL	<u>AYE</u>	WENDELL STEWART
<u>AYE</u>	MASON BARNES	<u>AYE</u>	MAYOR RONNIE CLARK
<u>AYE</u>	LARRY DIXON		

APPROVED BY:


Ronnie Clark, Mayor
City of Franklin, Kentucky

ATTEST:


Cathy Dillard, City Clerk
City of Franklin, Kentucky

EXHIBIT 1

Dunning Land Surveying

Description of a 67.85 acre tract (to be annexed)

The following paragraph describes a tract of land in Simpson County, Kentucky adjoining the present city limits of the city of Franklin, on U.S. Highway 31W and Kentucky State Highway 1008; said premises are more particularly described as follows:

Beginning at the intersection of the southerly right of way of Kentucky State Highway 1008 with the easterly right of way of U.S. Highway 31W at the northwesterly corner of the ARC Properties, LLC property as appears in Deed Book 294 Page 124 and a corner to the present city limits of the city of Franklin, Kentucky; thence along the southerly right of way of Kentucky State Highway 1008 and the northerly line of the ARC Properties, LLC tract & the existing city limits, the following four calls; North 26 degrees 49 minutes 32 seconds East a distance of 46.66 feet; thence North 64 degrees 57 minutes 38 seconds East a distance of 52.04 feet to a found concrete rigdtht of way monument; thence North 25 degrees 02 minutes 22 seconds West a distance of 15.00 feet; thence North 64 degrees 57 minutes 38 seconds East a distance of 123.29 feet to an iron pipe found #906 at a corner with Ronald Spears (Deed Book 285 Page 607); thence leaving said right of way along the existing city limits and the lines of Ronald Spears & Premium Services, LLC (Deed Book 293 Page 381) South 87 degrees 13 minutes 32 seconds East a distance of 1543.10 feet, crossing the CSX Railroad to a point in the easterly line of the CSX Railroad (33 feet from center of rails) in the line of Goodrum Pallets, LLC (Deed Book 318 Page 607); thence along the easterly right of way of said CSX Railroad, with the westerly line of the Goodrum Pallets, LLC property (previously annexed) & the Paul Huff property (not presently in the city limits) South 20 degrees 06 minutes 03 seconds East a distance of 1384.07 feet to a point; thence crossing said CSX Railroad at a culvert, and along the line of the Willard Kepley property (Deed Book 262 Page 318) with the Countryside Subdivision (Plat Book 4 Page 160) South 48 degrees 08 minutes 38 seconds West a distance of 304.11 feet; thence along the general meanders of a drain, continuing with the line of Willard Kepley the following two calls; South 62 degrees 24 minutes 38 seconds West a distance of 840.00 feet; thence South 50 degrees 07 minutes 48 seconds West a distance of 198.93 feet to a point in said drain located 25 feet easterly of the centerline of the Macedonia Road Spur; thence along the easterly right of way of the Macedonia Road Spur, North 34 degrees 02 minutes 04 seconds West a distance of 166.44 feet; thence crossing said road with the line of Dane Heinze and the existing city limits, South 52 degrees 01 minute 33 seconds West a distance of 395.11 feet to a point in the original westerly right of way of U.S. Highway 31W; thence along the meanders of the original westerly right of way of U.S. Highway 31W and the existing city limits the following four calls; North 13 degrees 11 minutes 23 seconds West a distance of 412.92 feet; thence North 17 degrees 43 minutes 19 seconds West a distance of 321.76 feet; thence North 19 degrees 15 minutes 02 seconds West a distance of 282.56 feet; thence North 23 degrees 25 minutes 38 seconds West a distance of 49.18 feet; thence crossing said highway along the lines of the Tractor Supply Company property (Deed Book 263 Page 259) and the existing city limits, the following three calls; North 76 degrees 38 minutes 52 seconds East a distance of 514.84 feet; thence North 19 degrees 29 minutes 06

seconds West a distance of 411.62 feet; thence South 77 degrees 32 minutes 12 seconds West a distance of 546.00 feet to a point in the original westerly right of way of U.S. Highway 31W; thence along the original westerly right of way of U.S. Highway 31W and the existing city limits, North 24 degrees 15 minutes 41 seconds West a distance of 679.34 feet to the southerly right of way of Kentucky State Highway 1008; thence crossing U.S. Highway 31W with the existing city limits, North 65 degrees 53 minutes 56 seconds East a distance of 100.00 feet to the point of beginning. Surveyed parcel contains 67.85 acres more or less to be annexed into the city limits of the city of Franklin and is subject to all legal conditions and easements of record. This description based on an actual field survey performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in July of 2016. Basis of bearing for this description is grid North, Kentucky South Zone, Lambert projection.

X

Gary Lee Dunning
Kentucky Registered Land Surveyor #3290



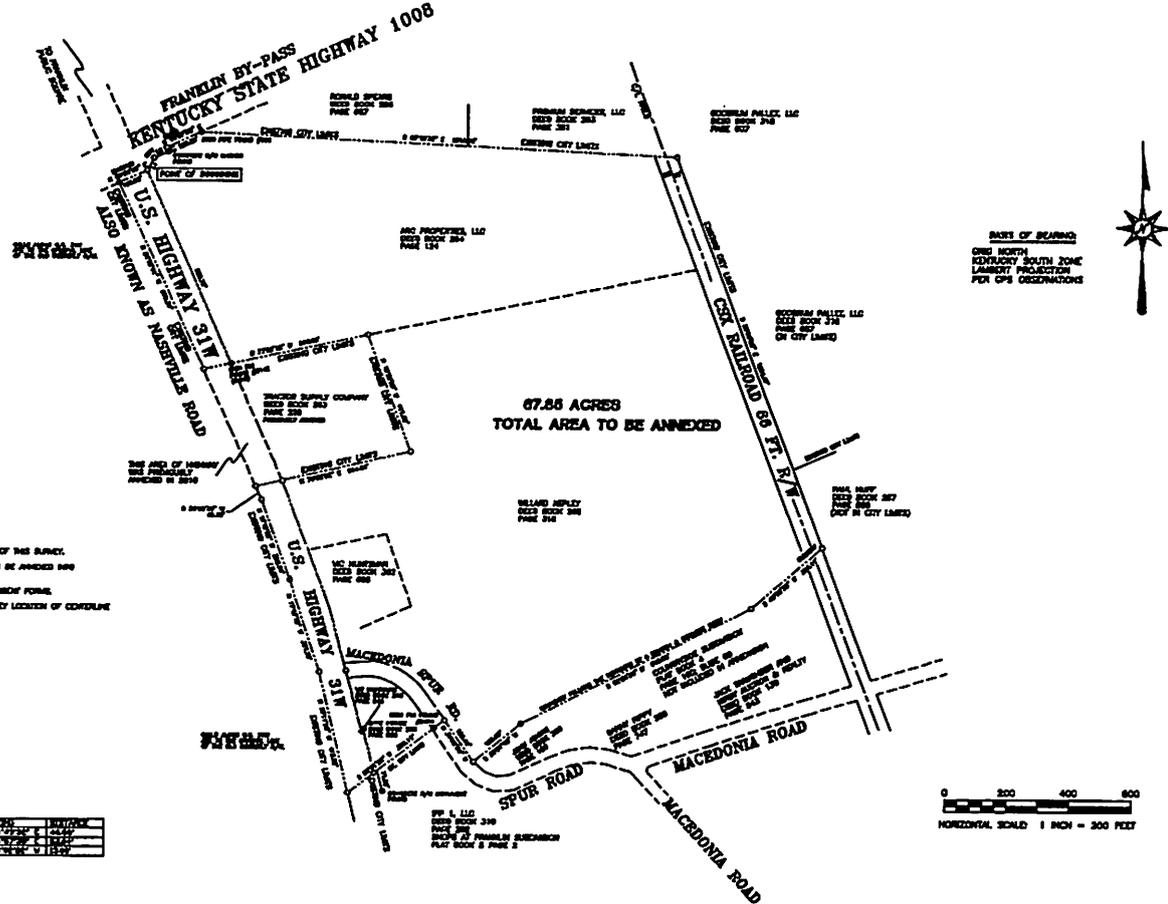
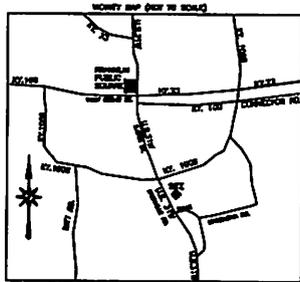
July 14, 2016

SURVEY OF A 67.85 ACRE PARCEL TO BE ANNEXED INTO THE CITY OF FRANKLIN, KENTUCKY SITUATED AT THE INTERSECTION OF U.S. 31W AND KENTUCKY STATE HIGHWAY 1008 IN SIMPSON COUNTY, KENTUCKY

LANDOWNERS AFFECTED BY THIS ANNEXATION

- ARC PROPERTIES, LLC - DEED BOOK 294 PAGE 124
- WILLARD KEPLEY AND WIFE, SAGIE KEPLEY - DEED BOOK 282 PAGE 138
- VC HUNTSMAN - DEED BOOK 246 PAGE 540
- VC HUNTSMAN - DEED BOOK 322 PAGE 808
- DAHE HEINZE AND WIFE, TARA HEINZE - DEED BOOK 283 PAGE 528
- CSX RAILROAD
- COMMONWEALTH OF KENTUCKY, NEW R/W FOR U.S. 31W AND PORTIONS OF MACEDONIA SPUR ROAD - DEED BOOK 299 PAGE 770 & DEED BOOK 282 PAGE 748

DATE: JULY 14, 2016



- ### REMARKS:
- CITY LINES DERIVED BY PRIOR ANNEXATIONS AND INFORMATION FROM SIMPSON COUNTY TAX MAPS AND SIMPSON COUNTY GIS MAPS.
 - SUBSTANCE CORRECTIONS WERE NOT CHANGED AS A PART OF THIS SURVEY.
 - THIS SURVEY IS INTENDED TO SHOW A PARCEL OF LAND TO BE ANNEXED INTO THE CITY LIMITS OF THE CITY OF FRANKLIN, KENTUCKY.
 - LANDOWNERS AS SHOWN TO BE ANNEXED HAVE SIGNED CORRECT FORMS.
 - CORRECTION TO THE 2008 SURVEY OF THE PORTION OF U.S. HIGHWAY 31W AND MACEDONIA SPUR ROAD.

NO.	DESCRIPTION	DATE
1	BY SURVEY	7/14/16
2	BY SURVEY	7/14/16
3	BY SURVEY	7/14/16

© BEARING FROM THE SET UNLESS SHOWN OTHERWISE
 © BEARING HORIZONTAL CONTROL, MEASUREMENT NOT SET

SUBJECT TO ALL LIENS, CONDITIONS AND ENCUMBRANCES OF RECORD.

THIS SURVEY SUBJECT TO ALL PLOTS WHICH WOULD BE ORIGINATED BY A COMPLETE TITLE SEARCH.

THE PORTIONS OF SURVEY WERE RECORDED WITH SIMPSON COUNTY RECORDS RECORDING OFFICE AND THE CITY OF FRANKLIN, KENTUCKY. THE SURVEY IS SUBJECT TO ALL LIENS, CONDITIONS AND ENCUMBRANCES OF RECORD. THE SURVEY IS SUBJECT TO ALL PLOTS WHICH WOULD BE ORIGINATED BY A COMPLETE TITLE SEARCH.

THIS SURVEY WAS CONDUCTED BY THE SURVEYOR USING A TOTAL STATION WITH A 1/4" PER FOOT ACCURACY AND BEARING, POSITION, AND DISTANCE.

THIS SURVEY WAS CONDUCTED BY THE SURVEYOR USING A TOTAL STATION WITH A 1/4" PER FOOT ACCURACY AND BEARING, POSITION, AND DISTANCE.

I CERTIFY THAT THE SURVEY REPRESENTS AN ACCURATE FIELD SURVEY PERFORMED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS OF KENTUCKY STATUTE 130.010. THE SURVEY IS SUBJECT TO ALL LIENS, CONDITIONS AND ENCUMBRANCES OF RECORD. THE SURVEY IS SUBJECT TO ALL PLOTS WHICH WOULD BE ORIGINATED BY A COMPLETE TITLE SEARCH.

DATE WORKED: JULY 14, 2016

CLIENT ADDRESS:
 CITY OF FRANKLIN, KENTUCKY
 117 WEST CEDAR STREET
 FRANKLIN, KENTUCKY 42134

DUNNING LAND SURVEYING
 1212 NEOSHEO ROAD
 FRANKLIN, KENTUCKY 42134
 PHONE: (270) 586-8286 * dunn4@bellsouth.net

DATE	BY
7/14/16	GLD
7/14/16	GLD
7/14/16	GLD